

YUAN-SHI-KI NOW CHINA'S DICTATOR

New Commander in Chief Obtains Full Power, Even to Compromising with Rebels.

EX-MINISTER AT TIEN-TSIN

Flight of Sheng Shun-Huai Covered by Legations of Powers Whose Interests He Furthered While in Office.

[By Cable to The Tribune.] Peking, Oct. 28.—A small detachment of American, French, British and German soldiers are guarding Sheng Shun-Huai, the deposed president of the Ministry of Posts and Communications, who secretly fled last night to Tien-Tsin, fearing personal violence.

The ministers of the four nations participating in the Hu-Kuang loan, the responsibility for which caused Sheng's downfall, were determined to afford him protection, and, energetically expressing their views to the government, obtained the latter's assent to the course they took.

Yuan Shi-Ki's powers are tremendous. Practically he entirely controls the government's rebellion policies, and can compromise if he desires to do so. He is the most powerful individual in China to-day. There is a distinct feeling that it is dangerous for foreigners to lend money to the government on account of the risk of rebel reprisals revenging such assistance.

There are many reports that the court is planning a flight, but nothing tangible has transpired so far.

Peking, Oct. 27.—Sheng Shun-Huai, who was removed from the office of Minister of Posts and Communications yesterday as a concession to the National Assembly, had a narrow escape from assassination here to-day. He fled to the American Legation, whence he was later escorted to Tien-Tsin by a squad of ten soldiers under the command of Captain James H. Reeves, the American military attaché.

Edward T. Williams, the American Chargé d'Affaires, denies, however, that Sheng Shun-Huai entered the American Legation to-day, but says he cannot discuss the ex-minister's departure from Peking further.

The Associated Press has been able to piece together the following information concerning the flight of Sheng: A proposal was circulated among the members of the National Assembly for signature last night or this morning, demanding the ex-minister's decapitation. One of Sheng's adherents visited the American Legation to-day, and after a hurried conference proceeded to the racetrack, from which two foreign ministers returned immediately to Peking. Later the French, German and British ministers, accompanied by the American Chargé d'Affaires, drove to the residence of Prince Cheng, the Premier, and lodged an objection to a possible decree in line with the wishes of the Assembly. After yesterday's edict dismissing Sheng Shun-Huai, ordering Prince Cheng before a board of inquiry and releasing from custody the president of the Sze-Chuen provincial assembly and other leaders in the Cheng-Tu riots, the ministers feared that the Manchus would go to any length. At Tien-Tsin and Shanghai the foreign residents will give Sheng the protection of the foreign police.

The representatives of the governments concerned in the railway and currency agreements felt in honor bound to intervene for the safety of Sheng, as they or their predecessors had pressed him to conclude these contracts and also urged him to take the strong stand which resulted in the present upheaval. While the revolution had been brewing previous to the conclusion of these contracts it is considered here that the foreign loan policy finally precipitated it.

Will Begin Negotiations.

It was authoritatively announced here this evening that at the instigation of Yuan-Shi-Ki negotiations between the Imperialist forces and the revolutionaries in the Yang-Tso-Kiang region are about to open.

It was also officially stated that Yuan-Shi-Ki will proceed to Sin-Yang-Chow to-morrow to take supreme command of the Imperial army and navy at the front. The Minister of War, General Yin Tchang, who is at the head of the Imperial forces, has been ordered to turn over his command to Yuan-Shi-Ki and to return to Peking. It is generally believed that Yin Tchang has been wounded. Yuan-Shi-Ki has recommended twenty of his former protégés for important places in the government. At the session to-day the National Assembly adopted a resolution to memorialize the throne, requesting, as the best means of quelling the rebellion, the immediate institution of a popular parliament, the reconstruction of the Cabinet with the nobles excluded, and the pardon of political offenders, including the present rebels. The members lamented the fact that Sheng Shun-Huai had not been sentenced to death.

The government confirms the recapture of Cheng-Tu by government troops, but does not give details of the fighting. General Li Yuen-Heng, leader of the rebel forces, has informed the foreign consuls at Hankow that he has been proclaimed "President of the Republic of China."

The foreign ministers here have exchanged communications with Li upon several subjects. They objected to his announcement that vessels carrying contraband could be subject to confiscation by the rebels, and also to his proposals for the administration of the customs revenues. It was pointed out to him that the revenues are pledged as security for foreign loans and should be turned

Harvard vs. Brown

Sol Metzger, the famous Pennsylvania football coach, will write an analytical story of to-day's game at Cambridge exclusively for to-morrow's

Sunday Tribune

TURKEY FIGHTING FOR LIFE

Ready to Plunge All Europe Into War—Italy Holds Balance.

[By Cable to The Tribune.] Constantinople, Oct. 27.—The Turkish position has become clearer. Tripoli is not the real worry, the continued existence of Turkey as an independent state being the question now before Europe and the world.

For more than a quarter of a century Turkey has existed by means of protection on the part of one or another of the European states or a group of states. Since Bismarck's time the German bloc has been Turkey's main protector. England's recent declaration of military solidarity with France has cancelled the protective capacity of the German bloc and set Italy free.

As practical arbitrator of European affairs Italy holds the balance of power. Her first act is to disregard the German bloc and proceed to do as she pleases with Turkey, which has been living in a fool's paradise for the last twenty years, and is now astonished at finding the great German protector incapable of propping her up.

Turkey is in a desperate condition and is casting around for a fresh protector. It is the ally that the Grand Vizier talks about in reality a protector, Turkish independence is morally gone, never to return. If Turkey is able to find an efficacious protector, capable of guaranteeing her a renewed lease of life, she will readily make some immense sacrifice in exchange. If not, she will, if she can, plunge the whole of Europe into war. Anyhow, it is certain that she will not conclude peace with Italy unless she can secure beforehand the aid of some protector for the future.

[Other news of the Turkish-Italian war on page 7.]

EMMANUEL BUYS ETCHINGS

Italy's King Gets Series of Thirty by Joseph Pennell.

Rome, Oct. 27.—King Victor Emmanuel purchased to-day the whole series of thirty etchings by Joseph Pennell which was exhibited at the International Art Exposition here. The American artist arrived in Rome last Saturday, and participated in the work of the jury of the exposition, of which he is a member.

Joseph Pennell, though of American birth, has spent much of his later years in London. He has travelled extensively, and there is hardly a section of Europe that he has not pictured. He has also written many books and criticisms. Mr. Pennell has been described as the greatest American black-and-white artist of the day. He is the discoverer of beauty in the New York skyscrapers, and has taken many of his themes from them.

CULINARY SKILL SAVES HER

Court, Quoting "Lucille," Frees Woman Who Dispensed Cocaine.

"We can do without clothes, we can do without books, but civilized man cannot do without cooks," quoted Judge O'Sullivan yesterday in General Sessions, as he heard Dr. C. J. Leigh, of No. 152 Madison avenue, ask for the release of Sophie Acker, a colored cook, who had pleaded guilty to dispensing cocaine.

"She is the best cook in New York," said Dr. Leigh, "and I am sure she will let my drugs alone if you give her another chance."

"Yassah, I'll nebbber touch no mo' dat stuff," "Under the circumstances, I am convinced that the ends of justice will be served if I place you on probation," said Judge O'Sullivan. "But if I hear of your having any of the drug in your possession again, nothing will save you from imprisonment."

Sophie made an obeisance to the court and crossed her heart, repeated her promise, and ambled out of the courtroom.

STARVING BOY IN STREET

Hungry Lad Seeking Work Collapses Near His Home.

After tramping the streets for days in search of work and with practically nothing to eat, Louis Bernstein, fifteen years old, who lives with his mother and seven sisters and brothers at No. 71 East 4th street, dropped exhausted in front of No. 2 Bond street last night. A crowd soon surrounded the boy and while waiting for an ambulance persons who saw his condition passed a hat and collected \$5 for him. Just as the ambulance arrived Mrs. Dora Bernstein, the boy's mother, came running up, having heard of her son's condition.

Mrs. Bernstein supports the family by standing at a newsstand all day at Mulberry and Bleecker streets. Her husband, Jacob, has been in St. Joseph's Hospital for the last three months, a hopeless invalid. The boy was taken to St. Vincent's Hospital by Dr. Healey, and was later transferred to Bellevue, where it is said his condition is serious.

In the East 4th street home the seven other Bernstein children were found huddled in a single room. Until last Thursday the Bernstein lived at No. 124 2nd street, but when their father was a month overdue they were dispossessed.

WRIGHT RETURNING TO DAYTON

Will There Conduct Further Experiments with Glider.

Kill Devil Hill, N. C., Oct. 27.—Orville Wright to-day finished his experiments with the glider by which he obviously hoped to solve the problem of automatically maintaining the balance of a heavier-than-air machine in flight. He will leave to-morrow for Dayton, Ohio, and the glider will be taken along. Further experiments will be made near the Ohio city. Alexander Ogilvie, the English aviator, will leave at the same time for New York, whence he will sail for London.

Neither Wright nor Ogilvie would comment on the success of the tests. The former, however, apparently is completely satisfied with the results.

NO POLITICS IN STEEL SUIT, PRESIDENT SAYS

He Declares He Would Never Disturb Business from Political Motives.

RATHER LOSE RIGHT HAND

But Anti-Trust Law Will Be Enforced to the Letter—"Calamity Howlers" Disgust Him.

[By Cable to The Tribune.] Chicago, Oct. 27.—In a speech here to-night which was regarded as having a direct bearing on the government's suit against the United States Steel Corporation President Taft denied in vigorous language that the administration was being influenced by political motives.

"I would rather cut off my right hand," he exclaimed, "than to do anything to disturb the business of this country, especially with a motive of cultivating political success."

The President said he wanted it to be understood for all time that he intended to enforce the anti-trust law to the letter.

"Statements as to what I may be responsible for in bringing about business troubles, however regretful I may be that it is so, cannot turn me from the duty that lies straight before me," Mr. Taft added.

He spoke to an immense throng in the 1st Regiment Armory, and his anti-trust declarations called out a storm of applause and cheering. There was no doubt as to what was in the President's mind when he said:

Trust Matter Boiling. "I come to the subject of the trusts at a time when the matter is boiling."

He was delivering in part his Waterloo speech on the relation of government to business, and had declared he believed the railroads of the country had brought themselves within the law and were conscientiously trying to keep within it.

"I hope that at not some far distant time the same thing can be said of the great industrial combinations," he said. "More bigness of plant, more bigness of company or corporation, does not constitute a violation of the law. It is the purpose to restrain trade, to suppress competition and control prices that transgresses the statute, and the Supreme Court has decreed that these practices must end."

Always a Friend of Business.

"Throughout my career," the President continued, "I have always conducted myself with the idea of promoting business and promoting prosperity. If there is anything that arouses disgust in me it is the calamity howler—the man who attacks business and seeks to arouse prejudice against it. Prosperity we all need. We are all in the same boat."

It was here that the President declared he would rather cut off his right hand than disturb business for political motives.

"But," he added, with a flow of his fist on the railing before him, "we have a condition of lawlessness to deal with. We have had it for twenty years. We have gone on organizing combinations in violation of the anti-trust law on the theory that it either could not or would not be enforced."

"The Supreme Court has held that this lawlessness must be stamped out. There is no discretion in the Executive to suspend a single statute. It is his duty to enforce the law and to direct the prosecution of those who violate it."

A Plain Difference.

"There is a vast difference between uniting plants to reduce the cost of production and uniting to suppress competition, to restrain trade and control prices. A jury could find that difference in two minutes. It is a question of evidence and fact."

"I am just now in the remarkable position of being charged with an attempt to destroy business by enforcing the anti-trust statute and of having set up the Supreme Court to emasculate the statute in the interest of the trusts."

"I am hopeful this period of strain soon will end, that business soon will square itself with the law. I believe a majority of business is already square with the law."

"There is only one way that I know of to cure the corporations that are suffering from contagion and disease, and that is to eradicate the disease. The law will be enforced to the letter. Now I hope that is understood."

WEALTHY MERCHANT DIES

Retired Silk Dealer Suicide by Poison, Coroner Says.

Heinrich Meyer, a wealthy retired silk merchant, who still retained an interest in the silk importing business of Passavant & Co., at Nos. 13 and 15 Greene street, was found dead in his room at the Hotel Buckingham last night. Coroner Holtzhauser said he has no doubt Mr. Meyer committed suicide. A glass containing a white sediment was found in the room. The coroner says he believes the sediment to be cyanide of potassium.

A letter addressed to his wife, Mrs. Ada Meyer, was found, and also an open note on the letter which read:

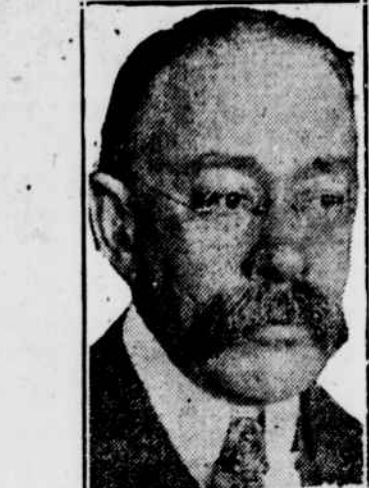
Mrs. Meyer will be at Dr. Peterson's at 5 o'clock. Telephone him I am very sick and want him to come over with Mrs. Meyer without fail. Don't let the people in the hotel know.

The note was unsigned. The letter addressed to Mrs. Meyer was sealed. She did not disclose its contents. Mr. Meyer sent his chauffeur out on an errand yesterday afternoon, and when he returned he found his employer sitting in a chair breathing faintly. He hurried downstairs and informed Mr. Meyer's private secretary, Charles Monroe, who called two doctors at once. They worked over the aged man, but he died, despite their efforts.

Str. Bridgeport Encircles the Fleet. Three trips daily, 10 A. M., 1 P. M. and 4 P. M. Full River Line management. See Pier 15, N. R. Adults, 50c; children, 25c. Tickets at 171 Broadway and Pier—Adv.

"IT IS TIME TO KEEP COOL," SAYS JUDGE GARY

E. H. Gary, chairman of the United States Steel Corporation, made the following statement last evening:



GEORGE W. WICKERSHAM.

"I believe a disclosure of all the facts applicable to the allegations contained in the government's bill of complaint as a ground for relief will show that the suit ought to be decided in favor of the corporation on its merits, and that the following facts will be established:

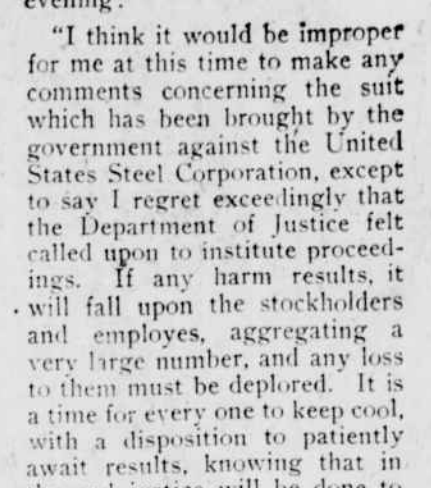
"First—That in the organization of the United States Steel Corporation those in charge had no intention of creating a monopoly or of restraining trade.

"Second—That the corporation never has had, or attempted to exercise, a monopoly or to restrain trade.

"Third—That the conduct of the affairs of the corporation has clearly and positively negated any effort or intention to violate any provision of the Sherman law.

"Fourth—That the existence of the corporation has been of benefit and not of injury to its employees, its customers, its competitors and the general public.

"Fifth—That no misrepresentation was made to the President relative to the Tennessee Coal and Iron properties, and that the motive of those connected with the purchase was to prevent a threatened general financial disaster, which would have adversely affected the corporation as well as others."



ELBERT H. GARY.

FRUITS OF MURPHYISM SPILL BLOOD FOR SUFFRAGE

How Legislature Abolished Court of Claims to Get Jobs.

PUT THROUGH AT LAST MOMENT

Bill Signed by Governor Dix Despite Its Denunciation as an Attack on the Judiciary.

III. One of the most inexcusable patronage grabbing acts of the Democratic Legislature was the passage of the bill abolishing the State Court of Claims. In all the discussion of this legislation not a word was said against the work of the court or the integrity of the men composing it. Lawyers, bar associations, judges, and even the Democratic Attorneys General, opposed the bill. Yet its enactment into law meant three places which could be filled by hungry Democrats. It was passed, therefore, Governor Dix signed the bill, thereby signifying his approval of what had been denounced in unparliamentary terms as an attack on the judiciary.

The bill as passed and signed by the Governor—fathered by Senator Loomis, of Buffalo, one of the so-called "independent" Democrats—was not the bill originally introduced. It was the same in principle as the measure against which all the fight was made; the difference was one of technicality. At the last minute the Democratic legislators acknowledged that even they had gone too far in their attack on a court—had gone beyond the point of legality. So they shifted their ground somewhat, and reworded through a bill different enough from the one about which there was doubt to clear up that point. The bill which became law abolished the Court of Claims, whose three members received \$8,000 a year. It substituted for the court a board of three members, at \$6,000 a year, with the same powers and duties.

Howls of Protest on All Sides. As drawn originally the Court of Claims bill merely legislated out of office the three judges of the court and permitted the Governor to appoint their successors. This was so rank, so arrant a piece of partisan job grabbing that howls of protest went up from all sides. In the first place it was denounced as unconstitutional, as many lawyers held this court to be a "court of record" in the full meaning of the constitution, which forbids legislative attacks on courts of record.

The Democrats who wanted these jobs contended that it wasn't; nevertheless, at the last they decided they didn't want any lawsuits on that score and would play safe by abolishing the court absolutely and then substituting for it a board of claims with similar duties.

Attorney General Carmody, himself a Democrat, insisted that the change in the court was against the interests of the state. In vigorous language he declared publicly that the court was transacting its business well and satisfactorily. He pointed out that its calendars were crowded with cases and that any change in it would entail confusion and complications, with much delay and perhaps great injustice in the settlement of claims. This was important in connection with the many claims arising from the construction of the large canal.

To reorganize the court "arbitrarily," he wrote to Justice McLennan, presiding justice of the Supreme Court, 4th Department, would swamp the Attorney General's office as well as the court.

"In the confused desire for fame and economy, etc.," wrote the Attorney General, "which seems more powerful in some quarters than common sense, these reasons perhaps will not receive their due weight." They didn't.

Justice McLennan had expressed his opinion of this attack on the courts frankly. He said the court was doing splendid work, both for the state and the litigants in the court. It was comparatively rare, he said, for an appeal to be taken, and this came with weight from him, the presiding justice of the court to which appeals from the decisions of the

Continued on fourth page.

LOST—AN ASTEROID

Harvard Observatory Hears Astronomers Made Mistake.

[By Telegram to The Tribune.] Cambridge, Mass., Oct. 27.—The Harvard Observatory favors starting a "lost and found" column in astronomical circles if it will result in the relocation of asteroid "Mt," which was discovered on October 3 by Palisa, of Vienna. The following day the freak planet gave a glimpse of itself to Professor Perchell, of Copenhagen. Nothing has been seen of it since. The astronomers, however, at Greenwich, England, evidently got crossed in their calculations, for the Harvard Observatory received information yesterday from Kiel, Germany, that asteroid "Mt" was observed at Greenwich, England, at 10 p. m. last Wednesday.

Another cable dispatch came to Harvard to-day, which said that the planet was still missing. The Greenwich astronomers having been mistaken in their calculations. The asteroid is different from its kind, inasmuch as it is moving in an entirely different direction than the seven hundred members of its family and is travelling many miles faster than the earth.

GABY COULDN'T HELP IT

Big Crowd Throngs Custom House When She Pays Duties on Dresses.

A big crowd surged through the corridors on the sixth floor of the Custom House yesterday afternoon, and two men had to be put on guard at the door of Solicitor M. P. Andrews's office to keep away an invasion of all the clerks, who had rushed to Room 621 on hearing that Gaby Deslys was there.

It was the payment of \$50 in duties on certain dresses that brought Gaby to court suit with Mr. Andrews and Edward Barnes, his deputy.

INNOCENT, DECLARES STEEL CORPORATION

Judge Gary Issues Statement Saying There Was No Effort to Monopolize Trade.

DEPLORES EFFECT OF SUIT

Denies Deceiving Mr. Roosevelt—One Manufacturer Says "No One Can Stop Meetings"—Common Stock Breaks Heavily in Market.

After an hour's conference yesterday between J. P. Morgan, ex-Judge E. H. Gary, chairman of the board of directors of the Steel Corporation; George F. Baker, chairman of the board of directors of the First National Bank, and Charles Steele, formerly of Mr. Morgan's banking firm, the Steel Corporation, through Judge Gary, issued its word to the public on the suit brought by the government.

The statement reaffirmed the position taken in the joint statement issued a month ago by Mr. Morgan and Judge Gary that the corporation was innocent of monopolistic purposes and made only for stability of prices in the steel industry. Any attempt to misrepresent the facts in the Tennessee Coal and Iron Company purchase to President Roosevelt was denied, while possible ill effects of the suit on the stockholders of the corporation was deplored.

The statement was mild in its general tenor. It made no attack on the government for bringing the suit and touched a melancholy note in its sorrow for the one hundred and fifty thousand stockholders. The defence of its actions was equally sad in the thought that they should have been so misconstrued, while the belief was expressed that full knowledge of all the facts connected with the allegations in the government's suit would lead to the exoneration of the corporation from the charges against it.

The sadness of the corporation was reflected by the public in its assault on the stock market, though the optimism of the Steel conferees was lacking here. When the market closed only one day had exceeded yesterday in transactions in Steel common. On September 27, 75,800 shares of Steel common were traded in. Yesterday there were dealings in 695,300 shares, and the gross decline for the day was 8½ points. The stock closed at 58½ on Thursday. Yesterday it reached 59 at the low point.

"Will Be No Rate War."

There were others who differed with Mr. Morgan and Judge Gary in their interpretation of the purposes of the Steel Corporation.

"If the government's suit is successful and the trust is dissolved, will there be a rate war among the steel manufacturers?" was asked of a big manufacturer who has been a constant attendant at the Gary dinners.

"No, sir," he replied. "Neither the government nor any one else can keep us from getting together. We have learned the advantages of combination and we are going to keep it up. The government may stop the Gary dinners, but it can't stop us from getting together. If we can't get together in one place we can in another. The government can't stop business men from coming together and talking over their affairs, and we are going to keep on doing it."

"This may be a political move, and among the steel manufacturers there are both Democrats and Republicans, but when it comes to making steel prices we don't know politics. That is business, and we don't let our politics interfere with our business."

A lawyer who has been identified with many corporation suits approached the subject from a different point of view.

"When I was in London, six weeks ago," he said, "a banker over there asked me what was the situation of the Steel Corporation. I told him that the Gary dinners were the most palpable evasion of the Sherman law that had ever been seen. I said that if the government sued the Steel Trust the Gary dinners would be the principal point in the bill."

The lawyer continued: "He practically defied the government and dared it to sue him. After he testified before the Stanley committee, and saw what a point was being made about the Gary dinners, instead of getting under cover he was going abroad to organize an international steel trust. That Brussels conference was nothing but a Gary dinner taking in the whole world. It was foolhardy."

"Would Save Cost of Dinners."

"And that proposition to have the government fix the prices. Of course, Government would like to have the government supervise the prices. It would save him the cost of the dinners. The same result would be obtained. Everybody would have to make a common price for steel products, and Judge Gary would not have to foot the bill for the menu."

"That reminds me," he added, "that I have heard that some one in the Steel Corporation has seen the light recently and been in a blue funk for the last two weeks. That was the reason they lopped off the Great Northern ore lease and why they have been looking for other things to lop off, in the hope that they could save themselves from being sued."

The manufacturer said that neither buyers nor manufacturers objected to the Steel Corporation.

"We want a stable market," he said, "and that is what we have had since the Steel Corporation was formed. The buyers want it so that they can know what their steel is going to cost them, and the manufacturers want it so they can tell what they are going to get for their products."

There hasn't been any tendency to force up prices. The tendency has been all the other way. The big fellow was always trying to keep prices down. Sometimes the independents wanted higher prices, but they always submitted gracefully. That was true in everything except steel rails. For ten years steel